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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
09/950,094	09/10/2001	Bradford P. Packer	4777US (20609-US)	2251
24247	7590	09/30/2004	EXAMINER	
TRASK BRITT			FONTAINE, MONICA A	
P.O. BOX 2550			ART UNIT	PAPER NUMBER
SALT LAKE CITY, UT 84110			1732	

DATE MAILED: 09/30/2004

Please find below and/or attached an Office communication concerning this application or proceeding.

**\*\*SUPPLEMENTAL\*\***  
**Notice of Allowability**

Application No.

09/950,094

Examiner

Monica A Fontaine

Applicant(s)

PACKER ET AL.

Art Unit

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-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to Phone call from atty. 27 Sept 2004.
2. ☒ The allowed claim(s) is/are 1-14, 17-19 and 23-33.
3. ☒ The drawings filed on 10 September 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
  - a) ☐ All    b) ☐ Some\*    c) ☐ None    of the:
    1. ☐ Certified copies of the priority documents have been received.
    2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
    3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

\* Certified copies not received: \_\_\_\_\_.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

**THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.**

5. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
  6. ☐ CORRECTED DRAWINGS ( as "replacement sheets") must be submitted.
    - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review ( PTO-948) attached
      - 1) ☐ hereto or 2) ☐ to Paper No./Mail Date \_\_\_\_\_.
    - (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date \_\_\_\_\_.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
7. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

**Attachment(s)**

- |   |  |
|---|--|
| 1. <input type="checkbox"/> Notice of References Cited (PTO-892)  | 5. <input type="checkbox"/> Notice of Informal Patent Application (PTO-152)                                |
| 2. <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948)                                | 6. <input checked="" type="checkbox"/> Interview Summary (PTO-413),<br>Paper No./Mail Date <u>092804</u> . |
| 3. <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08),<br>Paper No./Mail Date _____ | 7. <input checked="" type="checkbox"/> Examiner's Amendment/Comment  |
| 4. <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit<br>of Biological Material          | 8. <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance                       |
|   | 9. <input type="checkbox"/> Other _____  |

### DETAILED ACTION

**\*\*SPECIAL NOTE:** For applicant's convenience, the entire last office action is copied here. The **ONLY CHANGES** that have been made are indicated as **bold print** in the "ALLOWABLE SUBJECT MATTER" section. **\*\***

This office action is in response to the Amendment filed 14 June 2004.

All previous rejections are withdrawn.

#### *Examiner's Amendment*

An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it **MUST** be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with Bradley Jensen on 27 August 2004.

The application has been amended as follows:

The title has been changed to --Method of Applying Ablative Insulation  
Coatings--

#### *Allowable Subject Matter*

Claims 1-14, 17-19, and 23-33 are allowed.

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The following is an examiner's statement of reasons for allowance:

Regarding Claims 1-14, 17, and 18, the prior art of record neither teaches nor suggests the claimed method of forming an ablative coating on at least a portion of a structure, comprising forming at least one spacer from a first ablative mixture, placing the at least one spacer between the surface of a structure and a surface of the mold to establish a desired thickness of the ablative coating, introducing a second ablative mixture into the mold cavity such that it is in contact with at least a portion of the structure, and curing the second ablative mixture.

Regarding Claims 19 and 23-33, the prior art of record neither teaches nor suggests the claimed method of forming an ablative coating on at least a portion of a structure, comprising placing a first coat of release agent on a surface of a mold cavity, baking the mold, placing a second coat of the release agent on the surface of the mold cavity subsequent the baking, placing at least a portion of a structure in the mold cavity after the baking and after the placing the second coat of the release agent on a surface of the mold cavity, introducing an ablative insulation mixture made from a salt-filled epoxy resin base, a fiber-filled polyamide hardener, and a silicone resin so that the ablative insulation mixture contacts a surface of the at least a portion of the structure, and curing the ablative insulation mixture.

Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

*Conclusion*

The prior art made of record and not relied upon is considered pertinent to applicant's disclosure. The following patents are cited to further show the state of the prior art with regard to ablative coatings in general:

U.S. Patent 3,755,223 to Engel

U.S. Patent 4,031,605 to Couch et al.

U.S. Patent 4,041,872 to McCown et al.

U.S. Patent 5,456,674 to Clark et al.

U.S. Patent 5,212,944 to Martin et al.

U.S. Patent 5,703,178 to Gasmena

U.S. Patent 5,746,961 to Stevenson et al.

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Monica A Fontaine whose telephone number is 571-272-1198.

The examiner can normally be reached on Monday-Friday 7:30am-5:00pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Mike Colaanni can be reached on 571-272-1196. The fax phone number for the organization where this application or proceeding is assigned is 703-872-9306.

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Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

*Maf*

Maf

~~August 27, 2004~~

*September 18, 2004*



**MICHAEL P. COLAIANNI**  
**SUPERVISORY PATENT EXAMINER**